

**UNITED STATES OF AMERICA
BEFORE THE FEDERAL TRADE COMMISSION**

In the Matter of

RAMBUS INC.,

a corporation.

Docket No. 9302

DECLARATION OF STEVEN M. PERRY

1. I have personal knowledge of the facts set forth in this declaration, and if called as a witness I could and would testify competently under oath to such facts.

2. I am an attorney at Munger, Tolles & Olson LLP, counsel for respondent Rambus Inc. in these proceedings. Attached to this declaration are the exhibits submitted in support of Rambus's Motion for Summary Decision.

3. Exhibit 1 is a true and correct copy of the minutes of the JEDEC 42.3 meeting held on December 4-5, 1991.

4. Exhibit 2 is a true and correct copy of excerpts from the minutes of the JEDEC 42.3 meeting held on February 27-28, 1992.

5. Exhibit 3 is a true and correct copy of a letter from Richard Crisp to Ken McGhee dated June 17, 1996.

6. Exhibit 4 is a true and correct copy of excerpts from the deposition of Gordon Kelley taken on January 10, 2003.
7. Exhibit 5 is a true and correct copy of excerpts from the *Infineon* trial transcript for May 3, 2001.
8. Exhibit 6 is a true and correct copy of excerpts from the deposition of Jackie Gross taken on December 19, 2002.
9. Exhibit 7 is a true and correct copy of excerpts from the deposition of Kevin Kettler taken on January 15, 2003.
10. Exhibit 8 is a true and correct copy of an e-mail from Richard Crisp to Geoffrey Tate, David Mooring, and Allen Roberts dated May 6, 1992.
11. Exhibit 9 is a true and correct copy of excerpts from the deposition of John Kelly taken on January 9, 2001.
12. Exhibit 10 is a true and correct copy of excerpts from the *Infineon* trial transcript for April 30, 2001.
13. Exhibit 11 is a true and correct copy of the JC 42 Members' Manual, dated September 1994.
14. Exhibit 12 is a true and correct copy of Engineering Publication EP-3-F published by the Electronic Industries Association ("EIA"), dated October 1981.
15. Exhibit 13 is a true and correct copy of Engineering Publication EP-7-A published by the EIA, dated August 1990.
16. Exhibit 14 is a true and correct copy of excerpts from the minutes of various JEDEC 42.3 meetings held between May 1992 and December 1995.

17. Exhibit 15 is a true and correct copy of the minutes of the JEDEC 42.3 meeting held on September 23, 1993.
18. Exhibit 16 is a true and correct copy of excerpts from the deposition of Gordon Kelley taken on January 26, 2001.
19. Exhibit 17 is a true and correct copy of JEDEC Manual of Organization and Procedure JEP 21-I, dated October 1993.
20. Exhibit 18 is a true and correct copy of JEDEC Manual of Organization and Procedure JEP 21-H, dated July 1988.
21. Exhibit 19 is a true and correct copy of excerpts from the deposition of Richard Crisp taken on November 8, 2000.
22. Exhibit 20 is a true and correct copy of the minutes of the JEDEC 42.3 meeting held on March 3-4, 1993.
23. Exhibit 21 is a true and correct copy of an IBM memorandum dated August 31, 1993.
24. Exhibit 22 is a true and correct copy of excerpts from the minutes of the JEDEC 42.3 meeting held on December 8-9, 1993.
25. Exhibit 23 is a true and correct copy of excerpts from the deposition of Hans Wiggers taken on December 18, 2002.
26. Exhibit 24 is a true and correct copy of excerpts from the deposition of David Chapman taken on January 23, 2003.
27. Exhibit 25 is a true and correct copy of excerpts from the deposition of Gordon Kelley taken on April 13, 2001.

28. Exhibit 26 is a true and correct copy of a memorandum from Ken McGhee to Jim Townsend dated March 29, 1994.
29. Exhibit 27 is a true and correct copy of an e-mail from Ken McGhee to JC-42.4 dated February 11, 2000.
30. Exhibit 28 is a true and correct copy of a letter from the EIA to the Federal Trade Commission dated January 22, 1996.
31. Exhibit 29 is a true and correct copy of a letter from the Federal Trade Commission to Dan Bart, Vice President of the EIA/TIA dated July 10, 1996.
32. Exhibit 30 is a true and correct copy of a Toshiba memorandum from Ken McGhee addressed to "JEDEC Council Members and Alternates" dated July 10, 1996.
33. Exhibit 31 is a true and correct copy of excerpts from the *Infineon* trial transcript for April 26, 2001.
34. Exhibit 32 is a true and correct copy of excerpts from the minutes of the JEDEC 42.3 meeting held on December 6, 1995.
35. Exhibit 33 is a true and correct copy of the minutes from the JEDEC 42.3 meeting held on May 7, 1992.
36. Exhibit 34 is a true and correct copy of the minutes from the JEDEC 42.3 meeting held on January 17, 1995.
37. Exhibit 35 is a true and correct copy of the minutes of JEDEC 42.3 meetings held on September 18, 1996, December 11, 1996, and March 13-14, 1997.
38. Exhibit 36 is a true and correct copy of excerpts from the deposition of Betty Prince taken on February 23, 2003.

39. Exhibit 37 is a true and correct copy of handwritten notes by Jeff Mailloux from the April 9, 1992, JEDEC meeting in Dallas, Texas.

40. Exhibit 38 is a true and correct copy of the minutes of the JC 42/JC 16 meeting held on September 14-18, 1992.

41. Exhibit 39 is a true and correct copy of a report prepared by N. Wirth and W. Meyer dated April 30, 1992.

42. Exhibit 40 is a true and correct copy of a memorandum prepared by Willi Meyer dated April 30, 1992.

43. Exhibit 41 is a true and correct copy of a chart prepared by Willi Meyer dated May 6, 1992.

44. Exhibit 42 is a true and correct copy of excerpts from the deposition of Willi Meyer taken on April 5, 2001.

45. Exhibit 43 is a true and correct copy of excerpts from the deposition of Tom Landgraf taken on December 17, 2002.

46. Exhibit 44 is a true and correct copy of excerpts from the deposition of Farhad Tabrizi taken on November 20, 2002.

47. Exhibit 45 is a true and correct copy of excerpts from the deposition of Samuel Calvin taken on January 13, 2003.

48. Exhibit 46 is a true and correct copy of a summary of the JEDEC meeting held on May 4-8, 1992.

49. Exhibit 47 is a true and correct copy of a memorandum prepared by Willi Meyer dated June 11, 1992.

50. Exhibit 48 is a true and correct copy of excerpts from the deposition of Brett Williams taken on December 18, 2002.

51. Exhibit 49 is a true and correct copy of a letter from James Clingan to Jim Townsend dated December 9, 1992.

52. Exhibit 50 is a true and correct copy of excerpts from the transcript of the Prehearing Conference held on August 2, 2002.

53. Exhibit 51 is a true and correct copy of the minutes of the JEDEC 42.3 meeting held on May 24, 1995.

54. Exhibit 52 is a true and correct copy of a fax sent to Richard Crisp dated September 12, 1995.

55. Exhibit 53 is a true and correct copy of the minutes of the JEDEC 42.3 meeting held on September 11, 1995.

56. Exhibit 54 is a true and correct copy of an e-mail from Hans Wiggers to Richard Crisp dated June 10, 1995.

57. Exhibit 55 is a true and correct copy of an e-mail from Richard Crisp to Hans Wiggers dated June 9, 1995.

58. Exhibit 56 is a true and correct copy of an e-mail from Hans Wiggers to Richard Crisp dated June 13, 1995.

59. Exhibit 57 is a true and correct copy of an e-mail from Hans Wiggers to Richard Crisp dated June 13, 1995.

60. Exhibit 58 is a true and correct copy of the minutes of the IEEE SyncLink meeting held on August 21, 1995.

61. Exhibit 59 is a true and correct copy of handwritten notes by Rambus CEO Geoffrey Tate.
62. Exhibit 60 is a true and correct copy of excerpts from the deposition of Geoffrey Tate taken on January 22, 2003.
63. Exhibit 61 is a true and correct copy of excerpts from the deposition of Gil Russell taken on February 13, 2003.
64. Exhibit 62 is a true and correct copy of excerpts from the deposition of Willi Meyer taken on March 16, 2001.
65. Exhibit 63 is a true and correct copy of excerpts from the deposition of Kyle Daniels taken on July 31, 2001.
66. Exhibit 64 is a true and correct copy of a Micron memorandum from Jeff Mailloux dated November 7, 1995.
67. Exhibit 65 is a true and correct copy of the minutes of the SyncLink Consortium meeting held on January 11, 1996.
68. Exhibit 66 is a true and correct copy of excerpts from the deposition of David Gustavson taken on January 17, 2003.
69. Exhibit 67 is a true and correct copy of a memorandum from Bill Vogley to Ramesh Gidwani dated March 22, 1996.
70. Exhibit 68 is a true and correct copy of excerpts from the deposition of Desi Rhoden taken on January 24, 2003.
71. Exhibit 69 is a true and correct copy of excerpts from the deposition of Farhad Tabrizi taken on March 12, 2001.

72. Exhibit 70 is a true and correct copy of excerpts from the minutes of the JEDEC 42.3 meeting held on March 13-14, 1997.

73. Exhibit 71 is a true and correct copy of an e-mail from Gordon Kelley to Jim Rogers dated March 30, 1998.

74. Exhibit 72 is a true and correct copy of an e-mail from Hans Wiggers dated November 18, 1997.

75. Exhibit 73 is a true and correct copy of an e-mail from Terry Lee to Keith Weinstock dated April 17, 1997.

76. Exhibit 74 is a true and correct copy of JEDEC Standard JESD 79, dated June 2000.

77. Exhibit 75 is a true and correct copy of excerpts from the deposition of Reese Brown taken on January 22, 2003.

78. Exhibit 76 is a true and correct copy of excerpts from the deposition of Kenneth McGhee taken on August 10, 2001.

79. Exhibit 77 is a true and correct copy of excerpts from the minutes of the JEDEC 42.3 meeting held in December 1996.

80. Exhibit 78 is a true and correct copy of an e-mail from Gordon Kelley dated March 9, 1998.

81. Exhibit 79 is a true and correct copy of an internal IBM presentation dated March 17, 1997.

82. Exhibit 80 is a true and correct copy of Rambus's application for JEDEC membership.

83. Exhibit 81 is a true and correct copy of the Protective Order issued by this Court on August 5, 2002. All of the exhibits designated as confidential herein are designated as such pursuant to the terms of the Protective Order.

I declare under the penalty of perjury that the foregoing is true and correct.

Executed this ____ day of March 2003, at Washington, D.C.

Steven M. Perry

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)

CERTIFICATE OF SERVICE

I, Jacqueline M. Haberer, hereby certify that on March 4, 2003, I caused a true and correct copy of the public version of the *Declaration of Steven M. Perry* to be served on the following persons by hand delivery:

Hon. Stephen J. McGuire
Administrative Law Judge
Federal Trade Commission
Room H-112
600 Pennsylvania Avenue, N.W.
Washington, D.C. 20580

M. Sean Royall, Esq.
Deputy Director, Bureau of Competition
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Jacqueline M. Haberer